United Nations S/2003/486

Security Council

Distr.: General
28 April 2003

Original: English

**Letter dated 15 April 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council**

I write with reference to my letter of 22 July 2002 (S/2002/809).

The Counter-Terrorism Committee has received the attached supplementary report from the Kingdom of Cambodia, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Inocencio F. **Arias**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

03-34748 (E) 200503

## Annex

### Letter dated 13 March 2003 from the Permanent Representative of Cambodia to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On instructions from my Government and with reference to your letter of 24 June 2002, I have the honour to forward herewith the supplementary report of the Royal Government of Cambodia to the Counter-Terrorism Committee of the Security Council pursuant to paragraph 6 of resolution 1373 (2001) (see enclosure).

(*Signed*) Ouch **Borith**
Ambassador
Permanent Representative

Enclosure

**Supplementary report on the implementation of paragraph 6 of resolution 1373 (2001) presented by the Kingdom of Cambodia to the Counter-Terrorism Committee**

**Paragraph 1**

1. Concerning the legislative provisions and procedure for monitoring suspicious financial transaction, the National Bank of Cambodia has issued a regulation (Prakas) on October 21, 2003, to deal with all kind of transactions.

This regulation requires those all-banking and financial agencies to monitor and determine identification of customers and their activities, especially on activities/ matters that might be related to money laundering. The opening of anonymous account must absolutely be prohibited while opening account of those entities which have no prove of operations related to their activities must be restricted. A person or entity shall provide clear and permanent identity of shareholder in relations to any financial and banking transaction activities. The banking and financial entities shall register and keep all records or files of those transactions in the amount of, or more than, 40 million riels (or of foreign currencies equivalence) for the period of 10 years. All banking and financial agencies shall report immediately to the National Bank of Cambodia with regard to any suspicious financial transaction that is in violation of the relevant laws and regulations of Cambodia.

2. Any banking or financial agency that has failed to comply with Regulation (Prakas) relating to the Procedure for Identification regarding activities/matters related to money laundering shall be punished in accordance with Article 52 and 55 of the Law on Banking and Financial Institutions.

According to Article 52 of this Law, the sanctions include warning, reprimand, prohibition of the execution of certain operations and any other limitations on the carrying on of business, temporary suspension of one or more of the executives (with or without appointment of a provisional administrator,) compulsory resignation of one or more of the executives (with or without appointment of a provisional administrator,) setting up provisional administration, withdrawal of the license and liquidation. The supervisory authority may, either in place of or in addition to these sanctions, impose a fine not exceeding the minimum capital of the covered entity.

Furthermore, according to Article 55 of the Law on Banking and Financial Institutions, the sanctions include imprisonment from 1 to 5 years and/or imposing fine from one million to ten million riels. (1US$ = 4,000 riels, approximately.)

3. In addition, since the 11th of September 2001, the National Bank of Cambodia has issued 11 regulations to all banking and financial entities (national and foreign) to freeze all funds and other financial assets and prohibit operation of persons/entities that are connected with the terrorist attacks in the United States, if any. The National Bank has also instructed these banking and financial entities to report back any suspicion or any eventual operation of person or entities, in connection with terrorist activities. In compliance with the Security Council Resolution, The National Bank of Cambodia has sent lists of terrorists and their organizations to all banking and financial entities. So far, there is no report indicating the existence of terrorist-related transactions/operations in Cambodia.

**Paragraph 2**

1. The National Police is the principal institution which assumes overall responsibilities for combating terrorism through direct coordination with relevant agencies, such as

- The National Authority for Combating Drugs (NACD)
- Immigration Department
- The Department of Financial Supervision
- The Department of Security

2. These Agencies have the primary responsibilities in border control to prevent movement of terrorists, to prepare the "blacklist" of the information from the Interpol or other relevant agencies, and to update the "blacklist" regularly for the purpose of tracking down any person or entity found suspicious in connection with international terrorism activities. The National Police has taken serious measures and implemented procedures to identify those going in and out at the international checking points. Any movement of those who bear possibility of inclusion on the "blacklist" will be reported speedily to the above agencies for further investigation.

**Paragraph 3**

1. With respect to the legislation or provisions in which matters related to counter-terrorism are involved, Cambodia has enacted the following laws and regulations:

- Law on the Punishment of Terrorism Activities declared by Decree No. 10 Kr of 7 February1992, during the State of Cambodia
- Provisions relating to the Judiciary and Criminal Law and Procedure Applicable in Cambodia during the Transitional Period of 1992
- Law on Drug Control of 9 December 1996 (Chapter 6 contains provisions on prevention and detection of money laundering generated from drug trafficking)
- Circular No. 08 SR 97 of August 15, 1997, of the Ministry of Justice, on ownership, use, concealment and transport of illegal explosives
- Letter 978 of September 10, 1997, on principles and guidance to suppress crimes and other illegal acts

2. In addition, Cambodia has entered into the following Bilateral and Multilateral agreements:

- Agreement on Cooperation between the Ministry of Interior of Cambodia and the Ministry of Interior of Viet Nam, signed on March 14, 1997
- Exchange of Notes between the National Police of Cambodia and Federal Police of Australia on the establishment of Joint-Commission for investigation of illegal border crossing, signed on June 5, 2002, in Phnom Penh
- Memorandum of Understanding (MOU) between the Ministry of Interior of Cambodia and the Ministry of Public Security of Laos PDR, signed on July 27, 2002
- Accession by Cambodia to the Agreement on Information Exchange and Establishment of Communication Procedure on July 30, 2002 at the 35th ASEAN Ministerial Meeting (AMM) in Brunei Darussalam
- Memorandum of Understanding (MOU) between the Royal Government of Cambodia and the Government of the United States on assistance in matters related to border control for preventing terrorism, signed on November 20, 2002
- Cambodia is a member of ASEANAPOL (ASEAN Chiefs of Police) and has regularly participated in annual conference of this organization. Cambodia has always declared its full support for and cooperation in matters related to counter terrorism.

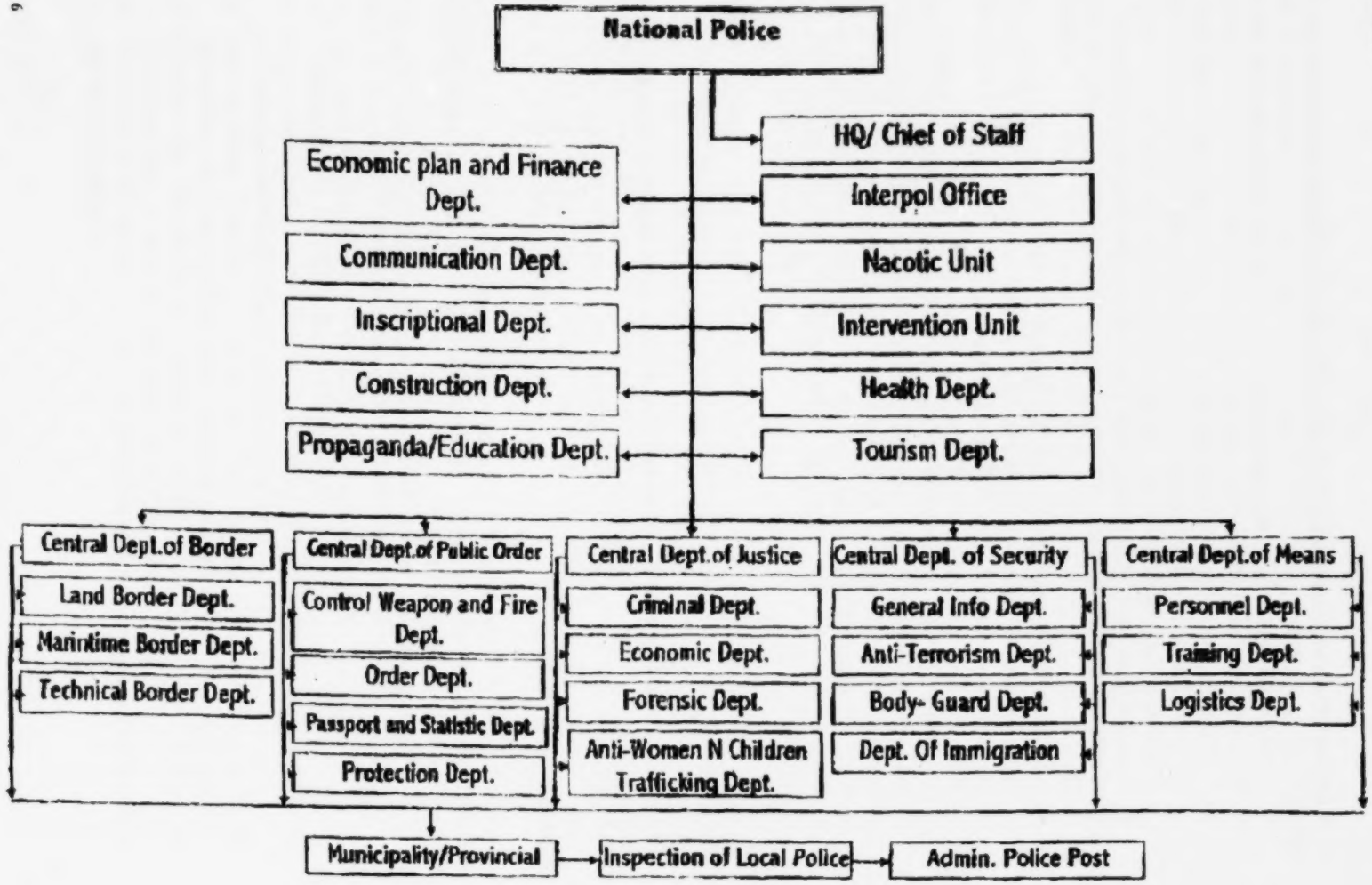
**Paragraph 4**

1. Please find attached herewith the Organizational Chart of the National Police of Cambodia

**Other matters: "Assistance"**

1. It will be greatly appreciated if assistance could be provided to Cambodia to enable further and effective implementation of Resolution 1377 as well as other relevant Resolutions of the Security Council.

Attachment


National Police
HQ/ Chief of Staff
Economic plan and Finance Dept.
Interpol Office
Communication Dept.
Nacotic Unit
Inscriptional Dept.
Intervention Unit
Construction Dept.
Health Dept.
Propaganda/Education Dept.
Tourism Dept.
Central Dept.of Border
Land Border Dept.
Maritime Border Dept.
Technical Border Dept.
Central Dept.of Public Order
Control Weapon and Fire Dept.
Order Dept.
Passport and Statistic Dept.
Protection Dept.
Central Dept.of Justice
Criminal Dept.
Economic Dept.
Forensic Dept.
Anti-Women N Children Trafficking Dept.
Central Dept. of Security
General Info Dept.
Anti-Terrorism Dept.
Body- Guard Dept.
Dept. Of Immigration
Central Dept.of Means
Personnel Dept.
Training Dept.
Logistics Dept.
Municipality/Provincial
Inspection of Local Police
Admin. Police Post